

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SUSANNE STONE MARSHALL; ADELE FOX;
MARSHA PESHKIN; RUSSELL OASIS; A & G
GOLDMAN PARTNERSHIP; and PAMELA
GOLDMAN,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. _____ (SMB)

**NOTICE OF APPLICATION
FOR ENFORCEMENT OF
PERMANENT INJUNCTION AND
AUTOMATIC STAY**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated March 11, 2014; the Complaint, dated March 11, 2014; the Declaration of Keith R. Murphy, dated March 10, 2014; and the Affidavit of Matthew Cohen, sworn to on March 10, 2014; and upon all prior pleadings and proceedings herein; the undersigned, counsel to plaintiff Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff, individually, will move before the Honorable Stuart M. Bernstein on **May 7, 2014, at 10:00 a.m.** on the Trustee’s application (the “Application”) for an order substantially in the form annexed hereto as Exhibit A: (i) enforcing the permanent injunction order entered by this Court on January 13, 2011 and the automatic stay in these proceedings; and (ii) otherwise enjoining plaintiffs Susanne Stone Marshall (a/k/a Suzanne Stone Marshall), Adele Fox, Marsha Peshkin, Russell Oasis, Pamela Goldman, and A&G Goldman Partnership (collectively, the “Class Action Plaintiffs”), and anyone acting on behalf of the Class Action Plaintiffs, from proceeding with their putative class actions (the “Class Actions”) against the estate of Jeffrey M. Picower (“Picower”) and related defendants (collectively, the “Picower Defendants”), recently brought before two different judges in the United States District Court for the Southern District of Florida, or any other action related to BLMIS against any of the Picower Defendants without leave of this Court.

PLEASE TAKE FURTHER NOTICE that written objections to the Application must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **April 18, 2014** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J.

Sheehan, Esq., and (b) the Securities Investor Protection Corporation, 805 Fifteenth Street, NW, Suite 800, Washington, DC 20005, Attn: Kevin H. Bell, Esq. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Application.

PLEASE TAKE FURTHER NOTICE that replies to objections, if any, must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **May 1, 2014** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein).

Dated: New York, New York
March 11, 2014

/s/David J. Sheehan
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Deborah H. Renner
Email: drenner@bakerlaw.com
Tracy L. Cole
Email: tcole@bakerlaw.com
Keith R. Murphy
Email: kmurphy@bakerlaw.com
Amy Vanderwal
Email: avanderwal@bakerlaw.com
Ferve Ozturk
Email: fozturk@bakerlaw.com
Matthew J. Moody
Email: mmoody@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*